

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Wu et al. Serial No.: 10/529,351 Filed: March 25, 2005 For: <i>Compositions and Methods for the Diagnosis and Treatment of Tumor</i>	Group Art Unit: Unknown Examiner: Not yet assigned Confirmation No: 2536 Customer No: 09157
<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <p style="text-align: right;">February 2, 2006</p> <p style="text-align: right;"><i>Jennifer Fisk</i> Jennifer Fisk</p>	

AMENDMENT TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Additional Fees
Total	15	-	134	0	50	\$0.00
Independent	2	-	17	0	200	\$0.00
<u>X</u> Multiple dependent claim(s), if any (previously paid)					360	\$0.00
Total Fee Calculation						\$0.00

 X

No additional fee is required.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$. **A duplicate copy of this transmittal is enclosed.**
Petition for Extension of Time is enclosed.

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,
GENENTECH, INC.

By: *Mark T. Kresnak*

Mark T. Kresnak, Ph.D.

Reg. No. 42,767

Telephone No. (650) 225-4461

Date: February 2, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
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MTK/et

U.S. APPLICATION NUMBER NO. 10/529,351✓	FIRST NAMED APPLICANT Thomas D Wu	ATTY. DOCKET NO. P5101R1
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INTERNATIONAL APPLICATION NO.

PCT/US03/28547✓

I.A. FILING DATE 09/29/2003	PRIORITY DATE 10/02/2002
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09157
GENENTECH, INC.
1 DNA WAY
SOUTH SAN FRANCISCO, CA 94080

RECEIVED

SEP 13 2005

GENENTECH, INC.
LEGAL DEPT.

CONFIRMATION NO. 2536
371 FORMALITIES LETTER
OC000000016957891
OC000000016957891

Date Mailed: 09/08/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/25/2005
- U.S. Basic National Fees filed on 03/25/2005
- Priority Documents filed on 03/25/2005
- Specification filed on 03/25/2005
- Claims filed on 03/25/2005
- Abstracts filed on 03/25/2005
- Drawings filed on 03/25/2005

CALENDARED/EC
NOTICE TO FILE MISSING PARTS & NOTICE TO COMPLY
08 NOVEMBER 2005
DUE DATE

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another

application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/529,351	PCT/US03/28547	P5101R1

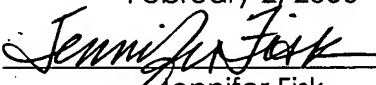


1/13 Rec'd PCT/PTO 06 FEB 2006

PCT #3

Patent Docket P5101R1

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Wu et al. Serial No.: 10/529,351 ✓ Filed: March 25, 2005 For: <i>Compositions and Methods for the Diagnosis and Treatment of Tumor</i>	Group Art Unit: Unknown Examiner: Not yet assigned CONFIRMATION NO: 2536 CUSTOMER NO: 09157 CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 2, 2006  Jennifer Fisk
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**Response to Notification of Missing Requirements under 35 U.S.C. 371 in the
United States Designated/Elected Office (DO/EO/US)**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), mailed September 8, 2005. Transmitted herewith are the following documents:

1. Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).
2. Petition for three month extension of time and fee of \$1,020 (authorized to charge to Deposit Account No. 07-0630).
3. Amendment transmittal, no additional fee's required.
4. Preliminary Amendment.
5. Sequence Listing on CD-R and diskette.
6. Petition to Correct Inventorship under 37 C.F.R. §1.48(b).
7. Combined Declaration and Power of Attorney duly executed (in 2 parts).

U.S. Serial No.: 10/529,351

The Commissioner is hereby authorized to deduct any the fee's associated with this communication or credit any overpayment to Deposit Account No. 07-0630. A duplicate of this sheet is enclosed.

Respectfully submitted,

GENENTECH, INC.

Date: February 2, 2006

By: 

Mark T. Kresnak, Ph.D.

Reg. No. 42,767

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